

**Title 1—OFFICE OF
ADMINISTRATION
Division 15—Administrative Hearing Commission
Chapter 3—Procedure For All Contested
Cases Under Statutory Jurisdiction,
Except Cases [Under Section 621.040, RSMo]
Where Procedure Is Otherwise Provided For By Law**

1 CSR 15-3.390 Intervention

PURPOSE: This amendment makes the commission's filing requirements for intervention more consistent with procedure in the circuit courts.

(1) The commission may permit any person to intervene if the person—

(A) Files a motion for intervention within such time as not to delay unduly the hearing on the complaint; and

(B) Has an interest in the action which is different from the general public interest and which cannot be represented adequately by the parties.

(2) A motion to intervene shall—

(A) Be in writing;

(B) Be served on all the parties;

~~[(B)]~~(C) Set forth facts showing that the person is entitled, or should be permitted, to intervene;

~~[(C)]~~(D) Be signed by the person or the person's attorney;

~~[(D)]~~(E) Be accompanied by a pleading that **sets forth the relief, claim or defense for which intervention is sought.**

(3) The commission's order, ruling on the motion to intervene, shall set the date on which intervenor's pleading is filed.

(4) When the commission grants a motion to intervene as petitioner, a responsive pleading to the intervenor-petitioner's complaint shall be due thirty (30) days after the date on which such intervenor-petitioner's complaint is filed, as set by the commission's order. A responsive pleading to the intervenor-petitioner's complaint shall be otherwise governed by rule 1 CSR 15-3.380.

AUTHORITY: section 621.035, RSMo 2000 and section 621.198, RSMo Supp. 2013. Original rule filed Aug. 5, 1991, effective Feb. 6, 1992. Amended: Filed June 3, 2002, effective Nov. 30, 2002. Amended: Filed May 30, 2006, effective Nov. 30, 2006. Amended: Filed July 2, 2008, effective Jan. 1, 2009. Amended: Filed _____, 2016, effective _____, ____.*

**Original authority: 621.035, RSMo 1978 and 621.198, RSMo 1965, amended 1978, 2001.*

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.